

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA	)	
	)	CRIMINAL NO. 04-10288-RWZL
v.	)	
	)	
CARLOS ESPINOLA, ET AL.,	)	
Defendants	)	

**GOVERNMENT'S REQUESTED VOIR DIRE QUESTIONS**

In addition to the Court's customary introduction to the jury, the United States requests that the Court ask prospective jurors the following voir dire questions:

1. Have you, a family member, or someone close to you ever been involved in a criminal case as a victim, a witness, or a person charged with a crime?
2. Have you, a family member, or someone close to you ever been involved in the criminal justice system as a prosecutor, a defense attorney, an employee of either a prosecutor or a defense attorney, or as a law enforcement officer?
3. Have you, a family member, or a close friend ever been involved in any legal action or dispute with the United States government or any agency, officer, or employee of the United States government, or have you ever had any interest in such dispute?
4. Have you, a member of your family or a close friend ever filed a lawsuit or claim of any kind against any police or law enforcement agency?

5. Have you, a family member, or someone close to you had any experience, favorable or unfavorable, with the United States government, the Drug Enforcement Administration, the Bureau of Alcohol, Tobacco, Firearms & Explosives or any other federal, state or local law enforcement agency, which might influence your consideration of this case?
6. Have you ever had any legal training, taken any law course, or been employed by a lawyer or law firm?
7. Do you, any family members, or close friends belong to any organization, church, or social group that is involved with crime prevention, law enforcement or that works with law enforcement, criminal offenders, victims, witnesses, prisons or police?
8. Have you or has any family member or close friend been a member of any group that lobbies or takes public positions on law enforcement issues?
9. The government may call a witness who has been charged with similar crimes and who has reached an agreement to cooperate with the government in the hope of lessening his sentence. Does this fact impair your ability to evaluate and judge fairly and impartially the facts in this case?

10. Would you have any reservations in believing the testimony of a witness who testifies about the criminal actions of others if that witness was also involved in criminal activity?
11. Have you ever served on any federal or state jury?
12. Have you ever sued anyone or been sued by anyone?
13. There will be several law enforcement officials called as witnesses in this case. Would you believe or disbelieve the testimony of a law enforcement officer or government agent simply because of that person's position as a law enforcement officer or government agent?
16. Do you have any difficulty reading or understanding English?
17. Do you have a hearing impairment that may affect your ability to listen to the testimony of witnesses?
18. Do you have any other physical problem (e.g., problems with eyesight) that would make it difficult for you to serve as a juror?
19. Are you presently taking any form of medication that may make it difficult for you to serve as a juror?
20. Under the law, the facts are for the jury to determine and the law is for the judge to determine. You are required to accept the law as I explain it to you. Even if you do not like the law or disagree with it, you must

determine the facts according to my legal instructions. Please raise your hand if you think you may have any difficulty following this rule.

21. Do you have any opinions about federal drug laws that would cause you to have any reservations about deciding this case solely on the evidence presented and the law as stated by the Court?
22. As a juror in this matter, you will be asked to listen to the evidence presented by the parties and the law as the Court provides it for you. You will then be asked to return a verdict against or for the defendants. Do you have any personal, religious, moral or philosophical beliefs that would prevent you from returning a verdict of guilty or not guilty against another person?
23. Is there any other matter which you would like to call to the Court's attention that may have any bearing on your qualifications as a juror or which may affect your ability to render an impartial verdict based solely on the evidence and the Court's instructions on the law?

The government also respectfully requests that if any juror answers any of the above questions in the affirmative, that the

Court will conduct a further inquiry with that juror at sidebar.

Respectfully submitted,

MICHAEL J. SULLIVAN  
United States Attorney

By: /s/Michael J. Pelgro  
Michael J. Pelgro  
David G. Tobin  
Assistant U.S. Attorneys

DATED: May 5, 2006.

CERTIFICATE OF SERVICE

I hereby certify that **this** document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) **and that a paper copy will be sent to those indicated as non registered participants.**

/s/Michael J. Pelgro  
Michael J. Pelgro  
Assistant United States Attorney

Date: **[effective date for this Certificate of Service-ECF]**